

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 1:19CR79
	)	
Plaintiff,	)	
v.	)	JUDGE CHRISTOPHER A. BOYKO
	)	
MARTIN FANO,	)	<u>GOVERNMENT'S CASE SPECIFIC</u>
	)	<u>VOIR DIRE QUESTIONS</u>
Defendant.	)	
	)	

Now comes the United States of America, by and through counsel, Justin E. Herdman, United States Attorney, and Elliot Morrison and Brian McDonough, Assistant United States Attorneys, and submits the following proposed case specific voir dire questions. The United States of America reserves the right to file supplemental case specific proposed voir dire questions.

Respectfully submitted,  
JUSTIN E. HERDMAN  
United States Attorney

By: /s/ Elliot Morrison  
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Brian McDonough (OH: 0072954)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this day 13th day of June, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Elliot Morrison

Elliot Morrison

Assistant U.S. Attorney

**A. Case Specific Questions**

1. Do you or any of your relatives or close friends know the defendant, Martin Fano or any members of his family?
2. Do you or any relatives or close friends know any of the other participants in the trial:
  - a. Judge Christopher A. Boyko, or any member of Judge Boyko's staff, including the Courtroom Deputy Clerk, her law clerks, or his judicial assistant(s)?
  - b. James C. Lynch, Esq., counsel for the defendant Martin Fano, or any person employed by or associated with his law practice;
  - c. Assistant U.S. Attorneys Elliot Morrison or Brian McDonough, or any other attorneys or support personnel employed by, or associated with, the United States Attorney's Office for the Northern District of Ohio or the United States Department of Justice;
  - d. Federal Bureau of Investigation Special Agent Shaun Roth, or any other agents or support personnel of the Federal Bureau of Investigation?
  - e. Do you know any other employees or family member of employees of the United States Attorney's Office for the Northern District of Ohio?
3. Do you or any relatives or close friends know, or have you known, any of the following individuals: (READ WITNESS LISTS).
4. Prior to today, have you heard anything about this case or the people involved? Have you read any reports in any newspapers about the defendant or this case?
  - a. If so:
    - i. What have you heard?
    - ii. Where did you hear it?
5. Have you or any relatives or close friends ever held an elected public office or been otherwise employed by a government entity, including the City of Cleveland? If so, what was the position, where was the position and what was the length of time the position was held?
6. Have you or any relatives or close friends ever worked in the construction industry, including in demolition? If so:
  - a. What was the nature of the work?
  - b. What was your position?
  - c. Did you have any interaction government entity for permits or approvals? If so, which entities?

7. Have you or any relatives or close friends ever been otherwise employed as or by a contractor that had to bid on projects, pass inspections or obtain permits from a government entity? If so, please provide details.
8. Have you or any relatives or close friends ever been employed by the Cuyahoga County Land Reutilization Corporation, also known as the Cuyahoga County Land Bank? If so, please provide details.
9. Do you have any difficulties with, or reservations about, the prosecution of individuals for economic or white-collar crime specifically fraud violations such as mail, wire, and honest services? [If so, explain. Can you be fair and impartial?]
10. Some of the audio and video evidence obtained by the law enforcement agencies involved in this case was obtained through the use of a cooperating witness working with law enforcement agents. This is a lawful investigative technique. Do you have any views about the use of this lawful technique that would make it difficult for you to be fair and impartial in this case?
11. Do you have any personal feelings about law enforcement's use of audio or video recordings that would prevent you from fairly considering the evidence in this case?
12. Do you have any opinions about law enforcement use of cooperating witnesses to investigate criminal activity that would make it difficult for you to serve as a juror in this case?
13. You will hear the testimony of a cooperating witness, cooperating with the government pursuant to a plea agreement, introduced as evidence by the government. Do you have any strong feelings, one way or the other, in connection with the use of witnesses who are cooperating in exchange for a possible reduction of their sentence, which may prevent you from rendering a fair and impartial verdict in this case?
14. You will hear testimony from witnesses who have been convicted of crimes. You will be instructed to examine their testimony with greater caution. Would you have any difficulty accepting the testimony by these individuals under any circumstances?